



Atty Dkt. No.: 10971722-2
USSN: 09/802,358

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.			
Typed or Printed Name		Donna Macedo	
Signature		Date	10/31/02

AMENDMENT & RESPONSE UNDER 37 C.F.R. §1.111 Address to: Assistant Commissioner for Patents Washington, D.C. 20231	Application Number	09/802,358
	Confirmation Number	7724
	Filing Date	March 9, 2001
	First Named Inventor	Ach et al.
	Examiner	A. Chakrabarti
	Group Art	1655
	Attorney Docket No.	10971722-2

TECH CENTER 1600/2900

NOV 08 2002

RECEIVED

Sir:

This amendment and response is responsive to the Office Action dated August 9, 2002 for which a three-month period for response was given making this response due on or before November 9, 2002. In view of the remarks put forth below, reconsideration and allowance are respectfully requested.

AMENDMENTS

In The Claims

Please amend Claim 19 as follows:

19. (Amended) The kit according to Claim 17, wherein said non-radioactively labeled ribonucleotide is labeled with a directly detectable label.

Please cancel Claims 21-23.

Please add the following new claims:

--24. (New) The kit according to Claim 17, wherein said non-radioactively labeled

11/06/2002 CCHAU1 00000087 501078 09802358

01 FC:1202 36.00 CH

ribonucleotide contains a modified nitrogenous base moiety covalently bonded to a non-radioactive label.

25. (New) The kit according to Claim 19, wherein said directly detectable label is a fluorophore.

26. (New) The kit according to Claim 25, wherein said fluorophore is a xanthenic fluorophore or polymethine fluorophore.

27. (New) The kit according to Claim 26, wherein said polymethine fluorophore is a cyanine fluorophore.

02 28. (New) The kit according to Claim 25, wherein said fluorophore is chosen from Pyrene, Coumarin, Diethylaminocoumarin, FAM, Fluorescein Chlorotriazinyl, Fluorescein, R110, Eosin, JOE, R6G, Tetramethylrhodamine, TAMRA, Lissamine, ROX, Naphthofluorescein, Texas Red, FITC, HEX, Cy3, Cy5 and Cy7.

29. (New) The kit according to Claim 20, wherein said bacterial polymerase is chosen from Escherichia coli poly(A) polymerase 1, Escherichia coli poly(A) polymerase 2, Bacillus subtilis poly(A) polymerase 1, and Bacillus subtilis poly(A) polymerase 2.

30. (New) A kit for use in end-labeling ribonucleic acids with non-radioactively labeled ribonucleotides, said kit comprising:

a fluorescently labeled ribonucleotide; and

a prokaryotic poly (A) polymerase.

31. (New) The kit according to Claim 30, wherein said fluorescently labeled ribonucleotide is a fluorescently labeled ATP analog, CTP analog, UTP analog or GTP analog.

32. (New) The kit according to Claim 30, wherein said fluorescently labeled ribonucleotide contains a modified nitrogenous base moiety covalently bonded to a

fluorescent label.

33. (New) The kit according to Claim 30, wherein said fluorescently labeled ribonucleotide is labeled with a xanthenic fluorophore or polymethine fluorophore.

34. (New) The kit according to Claim 33, wherein said polymethine fluorophore is a cyanine fluorophore.

35. (New) The kit according to Claim 30, wherein said fluorescently labeled ribonucleotide is labeled with a fluorophore chosen from Pyrene, Coumarin, Diethylaminocoumarin, FAM, Fluorescein Chlorotriazinyl, Fluorescein, R110, Eosin, JOE, R6G, Tetramethylrhodamine, TAMRA, Lissamine, ROX, Naphthofluorescein, Texas Red, FITC, HEX, Cy3, Cy5 and Cy7.

36. (New) The kit according to Claim 30, wherein said prokaryotic poly(A) polymerase is a bacterial polymerase.

37. (New) The kit according to Claim 36, wherein said bacterial polymerase is chosen from Escherichia coli poly(A) polymerase 1, Escherichia coli poly(A) polymerase 2, Bacillus subtilis poly(A) polymerase 1, and Bacillus subtilis poly(A) polymerase 2.

38. (New) A kit for use in end-labeling ribonucleic acids with non-radioactively labeled ribonucleotides, said kit comprising:

a fluorescently labeled ribonucleotide labeled with a xanthenic fluorophore or cyanine fluorophore; and

a prokaryotic poly (A) polymerase.

39. (New) The kit according to Claim 38, wherein said fluorescently labeled ribonucleotide is an ATP analog, CTP analog, UTP analog or GTP analog labeled with a Xanthenic fluorophore or Cyanine fluorophore.

40. (New) The kit according to Claim 38, wherein said fluorescently labeled

ribonucleotide contains a modified nitrogenous base moiety covalently bonded to said fluorophore.

41. (New) The kit according to Claim 38, wherein said fluorescently labeled ribonucleotide is labeled with a Xanthenic fluorophore chosen from FAM, Fluorescein Chlorotriazinyl, Fluorescein, JOE, R110, R6G, Tetramethylrhodamine, TAMRA, Lissamine, ROX, FITC, and HEX.

42. (New) The kit according to Claim 38, wherein said fluorescently labeled ribonucleotide is labeled with a cyanine fluorophore chosen from Cy3, Cy5 and Cy7.

43. (New) The kit according to Claim 38, wherein said prokaryotic poly(A) polymerase is a bacterial polymerase.

44. (New) The kit according to Claim 43, wherein said bacterial polymerase is chosen from Escherichia coli poly(A) polymerase 1, Escherichia coli poly(A) polymerase 2, Bacillus subtilis poly(A) polymerase 1, and Bacillus subtilis poly(A) polymerase 2.

REMARKS UNDER 37 CFR § 1.111

Formal Matters

In view of the following remarks, the Examiner is respectfully requested to withdraw the rejections and allow Claims 17-20 and new Claims 24-44.

Claims 17-20 and new Claims 24-44 are pending and currently under examination in this application.

Claims 17-20 were examined and were rejected.

Claims 21-23 have been canceled.

New Claims 24-44 have been added.

Amended Claim 19 finds support in the specification at page 6 lines 4-8. Newly added